

REMARKS

This is responsive to the office action dated July 24, 2008. Claims 1-5 and 7-11, and 17-20 are pending. Claims 12-15 were previously canceled, and have been re-introduced in this amendment as claims 17-20 respectively. Applicants respectfully traverse the outstanding rejection based on the remarks below and the new claims.

Rejection Under 35 U.S.C. § 103:

Claims 1-5 and 7-15 are rejected under 35 U.S.C. § 103 (a) as being obvious over East et al. (U.S. Application Publication No. 2003/0061323, hereafter East) and Capps et al. (U.S. Patent No. 6735691, hereafter Capps). Herein, respond to the rejection on the basis of new claims 17-20 being to former claims 12-15 which have now been canceled. The remarks included in the response filed on April 3, 2008 are hereby incorporated by reference herein. For the sake of brevity, the remarks below are directed primarily to responding to the “Response to Arguments” section in the Office Action of July 24, 2008.

Claim 1 recites the feature “personalizing said at least one new client computer . . .”. On page 12, in the “Response to Arguments” section, the Office Action contends that East teaches transmitting specific information to different clients dependent on each separate client’s hardware, citing to paragraph [0058] of East. Applicants respectfully disagree. Paragraph [0058] indicates that a single update is identified and sent to thin clients having hardware that matches the update. See ¶ 58, lines 2-4. East further recites that “for cases in which a selected client does not meet the minimum hardware requirements of the default configuration, the program may automatically deselect the client” (emphasis added). See ¶ 58, lines 14-18. Thus, in contrast with the assertion in the Office Action, East does not customize information sent to each client based on the client’s hardware. Instead, the update remains fixed, and if the client hardware is not suitable for the update, the update is not loaded at all. Thus, East does *not* personalize the client computer based on second and third information types as recited in claim 1 and therefore does not teach this element of claim 1.

The Office Action further contends that even if East did not teach this feature that it is disclosed by Capps. However, the Office Action, in this alternative contention of the teaching of the above-quoted limitation, does not identify any motivation to combine the teachings.

Applicants contend that there is no motivation to modify East with the feature from Capps and moreover, that introducing the features of Capps would change the principle of operation of East. Applicants elaborate below.

Capps is directed to migrating a computer configuration from a single old computer to a single new computer, effectively duplicating the operation of an old computer on the new computer. See Figures 5-6 and columns 9-10 of Capps.

In contrast, East achieves efficiency in the distribution of updates to a plurality of thin clients by establishing an update based on a default configuration that is established on the configuration of a first client computer (see ¶ [0057]) and propagating this update to a plurality of other clients (see ¶ [0058]). Clients having configurations that do not match the update are “deselected” for receiving the update. See ¶ [0058], line 17. In other words, in East, the efficiency of preserving the consistency of the update is paramount, and the client hardware that does not conform to the update software is *not* accommodated by personalizing the software to suit particular aspects of non-conforming client computers.

Indeed, where an update that is being copied to a plurality of clients by a network administrator (see ¶ [0057], lines 23-25) based on a default configuration, customizing the update for each client would undo the efficiency that the East disclosure is directed toward. Accordingly, Applicants contend that East specifically teaches away from incorporating the teaching that the Office Action proposed importing from Capps. Accordingly, there is no motivation to combine Capps with East, and the obviousness rejection of claim 1 therefore fails.

Applicants contend that independent claims 7 and 17 are patentable for many of the same reasons as claim 1 above, and that the dependent claims are patentable by virtue of their dependency on the independent claims. Reconsideration is therefore respectfully requested.

Conclusion:

Based on the foregoing, Applicants request that the instant application be passed to issue. Payment for the RCE and for a three-month extension of time are provided herewith. The Examiner is authorized to deduct any additional fees due, or to credit any overpayment, from/to our deposit account No. 50-4711.

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Respectfully submitted,

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